

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

339519



DEC 27 1982

Dr. Marwan M. Sadat, Administrator
 Hazardous Site Mitigation Administration
 The New Jersey Department of Environmental
 Protection
 Division of Waste Management
 1911 Princeton Avenue
 Trenton, New Jersey 08625

Dear Dr. Sadat:

This is in response to the verbal request by Edwin Liu of your staff, regarding CERCL Act funding for the Duane Marine facility in Perth Amboy.

At present, the site does not meet the criteria for immediate removal/ planned action under the authority of Superfund (the CERCL Act), based on the current EPA Headquarters Removal Guidance. We therefore will not be initiating any removal action under Superfund. On two recent site visits by members of my staff no signs of leaking drums were found, many of the tank trucks sounded empty and there were no visual signs of contamination (i.e., oil, solvents) entering the Arthur Kill.

The site appears to have an unlimited access. Currently, the front gate is left open and a few sections of fencing are missing, which could allow access by children. This situation, however, in and of itself does not meet the criteria for Superfund removal. It also does not seem to be a unique situation in this neighborhood. The adjoining property is also unsecured and contains drums and cylinders (of unknown substances/quantities).

If the state provides information indicating that this site meets the criteria for immediate/planned removals (see attachment), we would reconsider whether removal funding is appropriate.

I otherwise encourage the state to take any action it deems necessary at this site through whatever means are available to it.

Sincerely yours,

Fred N. Rubel
 Chief
 Emergency Response & Hazardous
 Materials Inspection Branch

* also, bcc: Henry Gluckstern
 W. Hedeman
 H. Van Cleave
 P. Elliot
 F. Rubel

bcc: R. Ogg, ZAWM-HWS

CONCURRENCES

SYMBOL	ES:ERHMI	BSprague:cs:12/23/82	FILE: DUANE MARINE
SURNAME	ES:ERHMI	ES:ERHMI	ES:ERHMI
DATE	12/27/82	12/27/82	12/27/82
EPA Form 1320-5	SPRAGUE	ELLIOT	RUBEL

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